

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

MARTIN JONATHAN BEYER, ) Case No.: 1:23-cv-01041-ADA-GSA  
)  
Plaintiff, ) ORDER ADOPTING THE FINDINGS AND  
) RECOMMENDATIONS, DENYING THE  
) APPLICATION TO PROCEED IN FORMA  
) PAUPERIS, AND DIRECTING PLAINTIFF TO  
) PAY THE FILING FEE  
)  
v. ) (ECF Nos. 3, 5)  
)  
COMMISSIONER OF SOCIAL SECURITY, )  
)  
Defendant. )

Plaintiff Martin Jonathan Beyer initiated this action by filing a complaint for judicial review of the administrative decision denying his application for Social Security benefits. (ECF No. 1.). Plaintiff filed an application to proceed *in forma pauperis*. (ECF No. 3). On July 19, 2023 the Magistrate Judge entered Findings and Recommendations to deny the application to proceed *in forma pauperis* and to direct Plaintiff to pay the filing fee. (ECF No. 5). The Findings and Recommendations advised Plaintiff that objections were due within 14 days thereof (L.R. 304(b)) and that failure to file objections within the specified time may result in the waiver of rights on appeal. *Wilkerson v. Wheeler*, 772 F.3d 834, 838–39 (9th Cir. 2014) (citing *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991)). Plaintiff has filed no objections to the Findings and Recommendations, which were due on or before August 2, 2023.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C) and *Britt v. Simi Valley United School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983), this Court conducted a de novo review of the case. Having carefully reviewed the matter, the Court finds the Findings and Recommendations are supported

by the record and proper analysis. Based upon the foregoing, the Court ORDERS:

1. The Findings and Recommendations (ECF No. 5) are ADOPTED IN FULL.
2. Plaintiff's application to proceed *in forma pauperis* (ECF No. 3) is DENIED
3. Plaintiff is DIRECTED to pay the required filing fee within 30 days of the entry of this order.

IT IS SO ORDERED.

Dated: September 4, 2023